

**BOARD OF PARK COMMISSIONERS****REGULAR MEETING****Monday, October 13, 2003**

Present: Bob Aldrich, June Bailey, Dennis Brunner, Colleen Craig, Glen Dey, Bobbie Harris\*, Janet Miller

Also Present: Greg Ferris; Richard Lopez and Roland Alonzo – Service Employment and Redevelopment (SER); Tony Madrigal and Carolyn Bnitez - La Familia Senior Community Center; Kelly Angle – Wichita R/C Raceway (WRCRW); Debra Foster - GreenWay Alliance; Kathy Dittmer - Riverside Citizens Association (RCA); M.S. Mitchell (former Park Board member); Mike North – Law Department; and Doug Kupper and Maryann Crockett (staff)

President Bailey called the meeting to order at approximately 3:30 p.m. The minutes of the regular meeting of September 8, 2003, were reviewed and approved.

1. **Discussion of possible Cell Tower at Cypress Park.** Presented by Greg Ferris. Ferris referred board members to a hand out, which was a letter that was sent to members of the wireless industry from Chris Cherches dated September 9, 2003, that provided a list of public-owned properties that could be made available for leasing as future cell tower sites. He stated that Cypress Park and the Fire Station adjacent to Cypress Park were on the list, in addition to numerous other park sites. He clarified that the letter was signed by the City Manager, but the list had been approved by the City Council.

Mr. Ferris commented that it was not his intention to place the proposed 135' cell tower in the public open space in Cypress Park, but rather to locate the tower adjacent to the Fire Station. He passed out a map of the area with a depiction of the proposed cell tower south of the park and northeast of the Fire Station. He also provided a map, which showed the distance from the proposed cell tower to the nearest residences at 450 feet and 550 feet, respectively, and 600 feet to the park playground equipment. He added that it would be a "stealth" monopole with the antennas located inside the structure. He provided visual simulations of the monopole from various angles, plus a picture of a 130' conventional monopole.

Mr. Ferris continued by stating that there was another proposal to install a 180' standard monopole on Veteran's Administration property, just west of Cypress Park across Edgemoor Street. He commented that all cell tower proposals, whether on City or other property, were required to go through the same approval process of presentation to the District Advisory Board, the Wichita-Sedgwick Planning Commission and the City Council.

Bob Aldrich asked how the cell tower would benefit the community and neighborhood. Mr. Ferris stated that anyone with a cell phone was going to benefit. He also briefly explained that the wireless industry was expanding into wireless Internet and further mentioned use of cell phones during emergency situations such as the tornado in Hayesville. He added that there is a demand for service along the Kellogg corridor. Aldrich requested that the Board be provided a copy of the letter from the City. Responding to several questions, Mr. Ferris stated that initially there would be three carriers on

the proposed tower and that it would take up an area approximately 37' (north and south) by 57' (east and west).

President Bailey asked if anyone from the audience wished to express their opinion on the issue. The following individuals spoke concerning installation of the cell tower at Cypress Park:

- L. D. Bond – stated that he was opposed to the cell tower in Cypress Park because he did not think park space should be used for items like cell towers and it would be setting a precedent. He added that he thought the Veterans Administration Hospital was a more appropriate place.
- Rosemary Weber – said as a representative of the GreenWay Alliance she agreed with Mr. Bond that parks were not a place to install cell towers.
- Michele Chauncey – Village Neighborhood Association, handed out approximately nine photographs of Cypress Park taken from a number of different angles. She commented that Cypress is a very small park consisting of approximately eleven acres; that the park and walking/exercise path is well used by the surrounding neighborhood and the Fire Department; that because the park is bounded on the south by Patrol East and a Fire Station, people feel it is a very secure park; that the Girl Scouts (whose administration offices are also located adjacent to the park) use the park for their day camp program and picnics; that a soccer team uses the park for practice sessions; that a new playground has recently been installed at the park; and that the park has forty-one Cypress trees, which is how it received its name.

Ms. Chauncey mentioned that the Veterans Administration Hospital had contacted the neighborhood over a month ago concerning a proposal to install a 180', six-carrier cell tower west of Edgemoor Street across from the park. She said the Village Neighborhood Association supported that proposal for several reasons including the following: the VA has indicated that the tower would be screened; that funds received from the lease would go back into the VA facility; that the tower would allow the VA to remove antennas from their historical building and improve internal communications and communications with health care providers. She said she was also concerned that if the tower were located in Cypress Park, it would become an attractive nuisance for neighborhood children. She mentioned maintenance in and around the tower and liability. She concluded by requesting that the Park Board not support the request for a cell tower in Cypress Park.

- Rosalie Bradley, Vice President – Wichita Independent Neighborhoods (WIN), explained that WIN was the "umbrella" organization for neighborhood and homeowner associations in Wichita. She commented that Wichita needed more green space, not cell towers being located in neighborhoods. She said that she felt the entire cell tower issue needed to be discussed and debated by the community citywide.
- Tom Potts – Crown Heights South Neighborhood Association, commented that he was originally against the VA cell tower proposal. But he said he would prefer that the tower be located at the VA as opposed to Cypress Park, which he said is a popular park used frequently by the public and the neighborhood on a daily basis. He also commented on the beautiful trees and creek at the park.

Greg Ferris reiterated that the proposed cell tower would not be located in the green space of the park, close to the picnic area or jogging trail. He added that they would provide maintenance in and around the cell tower and that they were also responsible for liability at the site. He added that funds from the tower lease stayed locally with the City.

Director Kupper clarified that it was standard procedure for the board to review each request to place a cell tower on park property on a case-by-case basis based on its own merit. He explained that is why the list contains almost every single city park. Janet Miller suggested that the board request that in the future, all park sights be removed from the list. Mike North, City Attorney, clarified that the board could make that recommendation to the City Council strictly in their advisory capacity.

Glen Dey asked if the cell tower located at Carriage Parkway could be expanded. Mr. Ferris stated that the Carriage Parkway tower was too far away to service the Kellogg corridor. Bob Aldrich asked if cell towers were located in any other parks and commented that he was concerned about setting a precedent. Director Kupper reported that cell towers were located at Herman Hill Park and MacDonald Golf Course. Bob Aldrich said it was his personal opinion that park property should not be used for this type of deal. Responding to a question, Greg Ferris clarified that the proposed tower would hold three carriers and that the City allowed a 25% extension of the tower in the future.

**On motion by Harris, second by Aldrich, IT WAS VOTED UNANIMOUSLY to recommend that the cell tower not be located in Cypress Park.**

Dennis Brunner requested that board members not close their minds totally to cell towers in parks. He said there might be some park locations where cell towers could work. Director Kupper commented that light poles at athletic fields were being used throughout the country, including Johnson County.

2. **Discussion of LaFamilia Senior Center at Woodland Park.** Presented by Richard Lopez, SER. Mr. Lopez indicated that he has met with Director Kupper and Councilwoman Sharon Fearey several times over the last year regarding the concept of expanding the La Familia Senior Community Center at Woodland Park into a one-stop community center by co-locating other organizations at the center. He said because the current center was only 3,700 square feet, there was no room for growth. He said the idea was to raze the current facility and build a 25,000 square foot facility at the same location.

Mr. Lopez said they had received word from Senator Brownbeck's Office that it was 99.9% sure that they had received a \$1,000,000 reinvestment zone grant for construction costs. He said with the new facility, the park could become more useful as a community center for the neighborhood. He introduced the following individuals: Tony Madrigal, President, La Familia Senior Community Center Board; Roland Alonzo, President, SER; and Carolyn Bnitez, Executive Director, La Familia Senior Community Center.

Ms. Bnitez stated that the current facility provides services primarily to the senior Hispanic community. She said they currently receive funding from the Sedgwick County Department on Aging. She said most of their clients are 55 years of age and older and that they provide everything from interpreter services and transportation to blood pressure and diabetes screening. She said the current facility is designed poorly (you actually enter the building through the kitchen area); that the facility is small and linear; that the plumbing is old and the roof leaks; and that it barely accommodates the 125 members. Responding to a question from President Bailey, Ms. Bnitez explained that they served approximately 550 clients a month.

There was general discussion concerning the size and location of the facility. Director Kupper commented that 25,000 square feet equaled approximately one half acre, plus parking for a facility that size would be probably be another one half acre. Janet Miller commented that she would need to know a lot more about the proposal including reviewing the business plan, information on operating expenses and how they would be funded, etc., before she would be willing to indorse the concept. She asked for the names of the other agencies that would be participating at the center. Ms. Bnitez stated that the agencies were La Familia; SER (Service, Employment and Redevelopment); IMHER (Institute of Minority Health Education and Research) and another faith-based organization yet to be named. She said they would also like to name the new community center "El Zocalo", which she explained was the name of the square in Mexico City where the Presidential Palace and Our Lady of Guadalupe were located.

Tony Madrigal, President, La Familia Senior Community Center Board, stated that he had been President of the Board for seven years. He said that Woodland Park was a prime location to help the citizens of that area of Wichita. He mentioned that he had been involved with development of a community center in Kansas City where he grew up. He asked the Board to help the various organizations pursue the project. Responding to a question from Bob Aldrich concerning youth activities, Mr. Madrigal mentioned soccer, baseball and other activities.

Ms. Bnitez clarified that the organizations would share the reception area and other community spaces in the building. She also mentioned accommodations for the Good Neighbor Nutrition Program. Bobbie Harris asked what the difference was between what they were doing at La Familia and what was going on at Evergreen Park Recreation Center. Ms. Bnitez stated that they would be offering services that were more culturally sensitive in addition to job and computer training, and General Education Diploma training. She also said that they would be sponsoring research projects within the Hispanic community pertaining to the issues of health, education and others.

There was general discussion about legal issues concerned with the organization's lease of parkland, legal title to any facility that would be built, and not-for-profit status of each organization to be housed at the facility. Director Kupper commented that any improvements built on City property become the property of the City. Responding to a question from Janet Miller, staff reported that North Woodland Park was twenty acres. There was further discussion concerning citing the building and outside maintenance. Director Kupper reported that park staff currently maintains the grounds around La Familia. He also commented that it might not be appropriate to rebuild at the same location. He added that he asked the group to come and speak to the Board about the proposal after the article appeared in the Wichita-Eagle regarding the grant award. He asked board members if they had a problem with the type of arrangement being proposed by the group.

Colleen Craig asked about the length of the proposed lease. She said if they were to obtain funding, it would probably need to be a long-term project. President Bailey asked how many other non-profits have buildings in parks. Bob Aldrich asked about feedback from the neighborhood. Ms. Bnitez commented that the people who come in for services at La Familia are very supportive of the idea to expand the facility.

President Bailey asked if anyone from the public wished to speak on the issue.

- Rosalie Bradley, President, North Riverside Neighborhood Association – commented that the neighborhood association had worked hard to get additional amenities added to South Woodland Park and that installation was due to begin this fall. She said another major project was continuation of the bike path which was a five-year project funded by a matching grant from the Kansas Department of Transportation. She added that the neighborhood had even received permission from the Catholic Diocese for the path to cross their property. She said she had mixed emotions about putting such a large building in park green space. She commented that the health station at Evergreen Park was underutilized and mentioned the traffic problems in and around both North and South Woodland Parks.

Mr. Alonzo stated that the center would benefit the Hispanic community and provide integrated delivery of social services. He said this was an opportunity for the City to join the groups. Mr. Madrigal said he has seen similar agreements in Kansas City and added that he felt competition was good. He mentioned introducing youth programming at the proposed facility and commented that Evergreen Recreation Center wasn't large enough to accommodate them. He added that he felt the center was a cultural thing and that it was a matter of helping people.

Bobbie Harris stated that she was getting "mixed messages" regarding the proposal and the necessity of another community center in the area. She mentioned community cooperation and added that the proposed center would take land away from parks. She said the sensitive question was would the Hispanic Community use the center because it was an Hispanic Corporation. Mr. Madrigal responded yes, that he felt it would be a cultural draw. Ms. Bnitez said there was an underserved population in the community who were mainly senior and primarily Spanish speaking. She said Evergreen did not provide senior services such as care management, interpreter services, transportation, medical screening for diabetes and blood pressure as well as health and wellness classes. She said they would like to expand the offerings to include employment and job training and activities for youth. Mr. Lopez commented that this was the second time that the proposal has come up. He mentioned the previous plan to renovate the former arts and crafts building on North Arkansas. He also mentioned that he had discussed the expansion project with Frank Smith, former Director of Park and Recreation.

Janet Miller commented that she has been involved with the creation of a community center and stated that the hard part was not the initial start-up costs, but on going operating expenses and fundraising. Mr. Lopez commented that SER would pay the operating expenses for the facility. He commented that SER has raised over \$4.5 million for various projects over the years. Miller stated that she would need a lot more detailed information such as a business plan, projected operating expenses and potential funding sources, in addition to overwhelming support of the idea from the surrounding neighborhood and community in order to feel comfortable giving up two acres of park land for a community center. She said before any official vote is taken, she would like to hear from the people who live in the area.

Dennis Brunner stated that he would like to see a rendering of the facility and its location in the park before voting on the issue. Glen Dey also asked the group to provide information about other land and resources in the area. Bob Aldrich asked about the availability of alternate sites. Mr. Lopez said this was the only site in the north area.

Janet Miller said she liked to hear about projects that provide services to underserved members of the community and mentioned her involvement with the Mid-Town Community Resources Center. President Bailey asked how many other groups have built facilities on park property and added that

she was concerned about setting a precedent. Director Kupper mentioned that GEAR had constructed a concession stand and storage building at Emery Park. It was the general consensus to table the proposal until additional information was received, including feedback from the community.

\*Bobbie Harris left the meeting.

3. **Radio Controlled Car/Truck Proposal – Emery Memorial Park.** Presented by Kelly Angle, Wichita R/C Raceway. Director Kupper commented that staff had received a proposal to construct a track for radio-controlled vehicles at Emery Memorial Park.

Mr. Angle began his presentation by providing board members a handout summary of the organization's proposal which included the following: mission and vision statements, operations, market summary, opportunities, business concept, competition, goals, resource requirements, assessment and description of needs, financial plan, budget report, risks and rewards and key issues, letters of support, and proposed construction schedule with track construction costs estimated at \$13,626. He also referred to pictures of aerial views of the proposed 100' by 170' track that he said they would like to construct where the tennis courts are currently located. Mr. Angle said the WRCR was currently working on obtaining 501(c)(3) status from the Internal Revenue Service (IRS).

Bob Aldrich asked if this activity could co-exist with the BMX bicycle racetrack? Director Kupper commented that the two user groups would have to coordinate scheduling for any national, state, or regional events. President Bailey asked about liability. Mike North, City Attorney, commented that the WRCR would be required to provide liability insurance as a condition of the use agreement.

Director Kupper stated that staff feels this proposal would be a positive use of park land and that it would also address the recreational needs of another user group. In addition, he said the tennis courts at the park were in poor shape and not scheduled to be replaced.

There was brief discussion concerning event scheduling, parking, entry fees, use of the BMX track, effects of the proposal on the surrounding neighborhood, the City's noise ordinance, the City's urban fishery program and the proposed tree removals. Mr. Angle said he had visited with a representative from the Group Effort Associated for Racers (GEAR) concerning the proposal and they were supportive of the idea. He added that there was a need for a track of this type in the area and added that seventy-two people have signed up to join the organization. Responding to a question from Bob Aldrich, Mr. Angle stated that the track, announcer's booth, driver's area and other amenities would be built with donations. He said they were requesting the City's help with lighting and landscaping. Director Kupper reported that Tim Martz, Supervisor, Forestry and Central Support Division, was working with the group on the requested tree removals.

**On motion by Dey, second by Aldrich, IT WAS VOTED UNANIMOUSLY to recommend support of the proposal, contingent upon the organization acquiring 501(c)(3) status from the IRS.**

4. **Discussion of Planeview Park.** President Bailey opened the discussion by asking Mike North from the City Law Department to explain the difference between land that the Board of Park Commissioners owns and land that it does not own. Mike North stated that some of parcels that are used for parkland are legally titled to the Board of Park Commissioners and that it would require the Board's approval to dispose or sell those areas. However, he said there were other areas that although

designated as parks, legal title was in the name of the City and that those areas could be disposed of without the approval of the Park Board.

Debra Foster, President, GreenWay Alliance, briefly explained that the Wichita Park Alliance and Greenways Commission organization had merged to form the GreenWay Alliance (GWA); that they had 501©(3) status from the Internal Revenue Service; and that the group supported parks, bike paths and greenways in Wichita and Sedgwick County. She commented that members of the GWA were opposed to the sale of Planeview Park and brought it to the attention of the general public.

Debra Foster referred board members to a 36" by 48" map of Wichita and Sedgwick County, which she said the GWA had asked Sedgwick County GIS to design. She said golf courses were colored in light green, park areas were colored in dark green, and areas titled to the Board of Park were outlined in red. She said the GWA would like to donate the map to the Park Board to be mounted in the conference room.

There was general discussion concerning adding an overlay of areas where Land, Water and Conservation Funds had been used to develop the areas. Janet Miller asked if Planeview had been on a list called "Surplus Property". She also asked what other properties used as parks were considered surplus property. She said technically, all parkland had the potential to be considered surplus. Bob Aldrich asked about making a recommendation to the City Council to keep all land currently considered parks to avoid this type of problem or misunderstanding in the future.

Janet Miller briefly mentioned how the Board of Park Commissioners was changed from an administrative board to an advisory board. Glen Dey suggested that parkland be zoned as parks by going through the zoning process with the Wichita-Sedgwick County Planning Department. Janet Miller suggested holding a public hearing on the issue.

Bob Aldrich clarified that all City owned parkland could be sold and was in jeopardy. M.S. Mitchell mentioned the possibility of changing City Ordinance #125. Debra Foster commented that as a member of the public and GreenWay Alliance, she felt there should be some type of long-term solution to the issue of disposition and protection of parkland. Responding to a question from Bob Aldrich about changing City Ordinance #125, Debra Foster stated that several lawyers on the GreenWay Alliance Board were looking at how City Ordinance #125 was being interpreted in terms of the Park Board's responsibility for parkland. Bob Aldrich asked what the Park Board could do. Mike North commented that in its advisory capacity, the Park Board could request that the City Council change City Ordinance #125. However, if the City Ordinance were changed it could be overruled or changed by the next City Council. He briefly mentioned restrictive covenants. Bob Aldrich said he would like to find a way to prevent the large-scale sale of park property.

- J.D. Swanson – commented that Norris Plumbing Company had been dragged through the mud.

Debra Foster invited board members to tour the South Arkansas River Greenway. She requested that board members let her know when would be a good time.

5. **Director's Update.** Director Kupper reported briefly on the following items:

- Grove Park. Public Works finished grading the C&D landfill site. He said they would be fencing the area off and creating a gravel road from Hillside to K-96 Lake. He said this would provide

another access to the K-96 fishing area. He commented that bids for lights at the football fields were being let and that the Grove Park Coalition was working on selecting a playground company to design a "one-of-a-kind" theme for the park.

There being no further business, the meeting adjourned at approximately 6:00 p.m.

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June Bailey, President

ATTEST:

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Maryann Crockett, Clerk  
Recording Secretary